

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

ELIZABETH LAWSON,

§

*Plaintiff,*

§

v.

Case No. 2:13-CV-105-JRG

MARION COUNTY, TEXAS; CITY  
OF JEFFERSON, TEXAS; CHUCK  
ROGERS; DAVID QUADA; AND  
TERRANCE MEMS

§

§

§

§

*Defendants.*

§

§

JURY VERDICT FORM

**QUESTION NO. 1**

Do you find from the preponderance of the evidence and under the law given to you by the Court that Defendants Terrance Mems, David Quada, and Chuck Rogers unlawfully detained Plaintiff Elizabeth Lawson, and that this unlawful detention, if any, deprived Plaintiff Elizabeth Lawson of her right to be free from unlawful detention, as guaranteed to her under the Fourth Amendment to the Constitution of the United States, and that the unlawful detention, if any, was a direct and proximate cause of any injuries sustained by Plaintiff Elizabeth Lawson?

**ANSWER: "YES" OR "NO."**

Answer:

*No*

IF YOU ANSWERED QUESTION 1 "NO," THEN LEAVE QUESTIONS 2-5 BLANK AND PROCEED TO ANSWER QUESTION 6.

IF YOU ANSWERED QUESTION 1 "YES," THEN PROCEED TO ANSWER QUESTIONS 2-5.

## QUESTION NO. 2

Do you find from the preponderance of the evidence and in light of the clearly established law given to you by the Court, that Defendants Terrance Memes, David Quada, and Chuck Rogers had an objectively reasonable belief that their actions **did not** violate Plaintiff Elizabeth Lawson's constitutional right to be free from unlawful detention?

**ANSWER: Choose and mark one of the answers given below:**

**YES** — Defendants Terrance Memes, David Quada, and Chuck Rogers had an objectively reasonable belief that their actions did not violate Plaintiff Elizabeth Lawson's constitutional right to be free from unlawful detention.

**NO** — Defendants Terrance Memes, David Quada, and Chuck Rogers did NOT have an objectively reasonable belief that their actions did not violate Plaintiff Elizabeth Lawson's constitutional right to be free from unlawful detention.

### **QUESTION NO. 3**

From the preponderance of the evidence, do you find that Plaintiff Elizabeth Lawson's constitutional right to be free from **unlawful detention** was violated pursuant to a governmental custom, policy, ordinance, regulation or decision of Defendant **Marion County, Texas**, attributable to the action or inaction of an official policymaker exhibiting deliberate indifference to the rights of citizens to be free from unlawful detention, and that said **Marion County** custom, policy, ordinance, regulation or decision was the moving force behind Plaintiff's injuries?

**ANSWER: "YES" OR "NO"**

**Answer:** \_\_\_\_\_

**QUESTION NO. 4**

From the preponderance of the evidence, do you find that Plaintiff Elizabeth Lawson's constitutional right to be free from **unlawful detention** was violated pursuant to a governmental custom, policy, ordinance, regulation or decision of Defendant **City of Jefferson, Texas**, attributable to the action or inaction of an official policymaker exhibiting deliberate indifference to the rights of citizens to be free from unlawful detention, and that said **City of Jefferson** custom, policy, ordinance, regulation or decision was a moving force behind Plaintiff's injuries?

**ANSWER: "YES" OR "NO"**

**Answer:** \_\_\_\_\_

IF YOU ANSWERED QUESTION 1 “NO,” THEN DO NOT ANSWER QUESTION 5 AND PROCEED TO ANSWER QUESTION 6.

IF YOU ANSWERED QUESTION 2 “YES” *AND* YOU ANSWERED QUESTIONS 3 AND 4 “NO,” THEN DO NOT ANSWER QUESTION 5 AND PROCEED TO ANSWER QUESTION 6.

IF NEITHER OF THE ABOVE INSTRUCTIONS APPLY, THEN ANSWER QUESTION 5. ONCE YOU HAVE ANSWERED QUESTION 5 PROCEED TO ANSWER QUESTION 6.

### **QUESTION NO. 5**

What sum of money, if now paid in cash, do you find from a preponderance of the evidence, would fairly and reasonably **compensate** Plaintiff Elizabeth Lawson for the damages, if any, which she suffered and which were proximately caused by any deprivation of her right to be free from **unlawful detention**, as guaranteed under the Fourth Amendment to the Constitution of the United States?

**Answer in dollars and cents or “none”:**

**Answer:** \_\_\_\_\_

## QUESTION NO. 6

Do you find from the preponderance of the evidence that Defendant Terrance Mems used **excessive and unreasonable force** upon Plaintiff Elizabeth Lawson, and that this excessive force, if any, deprived Plaintiff Elizabeth Lawson of her right to be free from excessive force, as guaranteed to her under the Fourth Amendment to the Constitution of the United States, and that such excessive force, if any, was a direct and proximate cause of her injuries?

ANSWER: "YES" OR "NO."

Answer: No

IF YOU ANSWERED QUESTION 6 "NO," THEN TURN TO THE LAST PAGE, SIGN AND DATE THE VERDICT FORM, AND DELIVER THE VERDICT FORM TO THE COURT SECURITY OFFICER WITHOUT ANSWERING QUESTIONS 7-9.

IF YOU ANSWERED QUESTION 6 "YES," THEN PROCEED TO ANSWER QUESTIONS 7-9.

**QUESTION NO. 7**

Do you find from the preponderance of the evidence and in light of the clearly established law given to you by the Court, that Defendant Terrance Memes had an objectively reasonable belief that his actions **did not** violate Plaintiff Elizabeth Lawson's constitutional right to be free from excessive force?

**ANSWER: Choose and mark one of the answers given below:**

       **YES** — Defendant Terrance Memes had an objectively reasonable belief that his actions did not violate Plaintiff Elizabeth Lawson's constitutional right to be free from excessive force.

       **NO** — Defendant Terrance Memes did NOT have an objectively reasonable belief that his actions did not violate Plaintiff Elizabeth Lawson's constitutional right to be free from excessive force.

**QUESTION NO. 8**

From the preponderance of the evidence, do you find that Plaintiff Elizabeth Lawson's constitutional right to be free from **excessive force** was violated pursuant to a governmental custom, policy, ordinance, regulation or decision of Defendant **City of Jefferson, Texas**, attributable to the action or inaction of an official policymaker exhibiting deliberate indifference to the rights of citizens to be free from excessive force, and that said **City of Jefferson** custom, policy, ordinance, regulation or decision was a moving force behind Plaintiff's injuries?

**ANSWER:** "YES" OR "NO."

**Answer:** \_\_\_\_\_

IF YOU ANSWERED QUESTION 6 "NO," THEN DO NOT ANSWER QUESTION 9. IN THAT EVENT, HAVE YOUR FOREPERSON TURN TO THE LAST PAGE, SIGN AND DATE THE VERDICT FORM, AND DELIVER THE VERDICT FORM THE COURT SECURITY OFFICER.

IF YOU ANSWERED QUESTION 7 "YES" *AND* YOU ANSWERED QUESTION 8 "NO," THEN DO NOT ANSWER QUESTION 9. IN THAT EVENT, HAVE YOUR FOREPERSON TURN TO THE LAST PAGE, SIGN AND DATE THE VERDICT FORM, AND DELIVER THE VERDICT FORM THE COURT SECURITY OFFICER.

IF NEITHER OF THE ABOVE INSTRUCTIONS APPLY, THEN ANSWER QUESTION 9.

### **QUESTION NO. 9**

What sum of money, if now paid in cash, do you find from the preponderance of the evidence, would fairly and reasonably **compensate** Plaintiff Elizabeth Lawson for the damages, if any, which she suffered and which were proximately caused by any deprivation of her right to be free from **excessive force**, as guaranteed under the Fourth Amendment to the Constitution of the United States?

**Answer in dollars and cents:**

**Answer:** \_\_\_\_\_

THE FOREPERSON SHOULD TURN TO THE LAST PAGE, SIGN AND DATE THE VERDICT FORM, AND THEN DELIVER THE VERDICT FORM THE COURT SECURITY OFFICER.

We, the Jury, have answered the above and foregoing questions as herein indicated, and return the same to the Court as our verdict.

2-7-2014  
**DATE**

FOREPERSON *[Signature]*